

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: PROCEEDING BEFORE THE COURT :	:	
OF COMMON PLEAS OF PHILADELPHIA :	:	CIVIL ACTION
TO DETERMINE THE PROPRIETY OF THE :	:	
DEFENDER ASSOCIATION OF :	:	
PHILADELPHIA'S REPRESENTATION OF :	:	
WILLIAM JOHNSON :	:	
<hr style="width: 50%; margin-left: 0;"/>		
COMMONWEALTH OF PENNSYLVANIA, :	:	
Plaintiff, :	:	
:		
v. :	:	
:		
WILLIAM JOHNSON, :	:	No. 13-2242
Defendant. :	:	

**THE COMMONWEALTH'S UNOPPOSED MOTION FOR PERMISSION TO FILE A
REPLY BRIEF IN SUPPORT OF ITS MOTION TO REMAND**

The Commonwealth of Pennsylvania respectfully requests permission to file a reply brief in support of its motion to remand. In support of this request, undersigned counsel states:

1. On May 24, 2013, the Commonwealth filed a motion to remand this matter to state court.
2. On June 10, 2013, the FCDO filed a twenty-five page brief in opposition to that motion.
3. The Commonwealth believes that, given the relatively novel and complex nature of the legal claims at issue, a short reply brief, addressing the caselaw and legislative history on which the FCDO relies, would assist in the proper and efficient disposition of this matter.
4. Perhaps recognizing the potential value of such filings in this matter, the Court already has granted the FCDO permission to file a reply brief in support of its motion to dismiss. Dkt. No. 14.

5. Should permission to file a reply brief be granted, the Commonwealth will be able to file the brief by June 20, 2013, and will require no more than fifteen pages.

6. Counsel for the Defender Association, David Richman, Esquire, has graciously stated that the Defender Association has no objection to the Commonwealth's request for permission to file a reply brief.

WHEREFORE, the Commonwealth respectfully requests permission to file a reply brief in support of its motion to remand.

/s/ Peter Carr

Peter Carr

Assistant District Attorney

PHILADELPHIA DISTRICT ATTORNEY'S OFFICE

Three South Penn Square

Philadelphia, PA 19107

(215) 686-5700

Attorney for the Commonwealth

Date: June 14, 2013

**IN THE UNITED STATES DISTRICT COURT
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COMMONWEALTH OF PENNSYLVANIA, :	:	
Plaintiff, :	:	
	:	
v. :	:	
	:	
WILLIAM JOHNSON, :	:	No. 13-2242
Defendant. :	:	

CERTIFICATION THAT THE MOTION IS UNOPPOSED

On June 13, 2013, I conferred with counsel for the FCDO, David Richman, Esquire, who stated that the FCDO has no objection to the Commonwealth's request for permission to file a reply brief in support of its motion to remand.

/s/ Peter Carr
Peter Carr
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Date: June 14, 2013

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COMMONWEALTH OF PENNSYLVANIA, :	:	
Plaintiff, :	:	
	:	
v. :	:	
	:	
WILLIAM JOHNSON, :	:	No. 13-2242
Defendant. :	:	

CERTIFICATE OF SERVICE

The Commonwealth's motion for permission to file a reply brief in support of its motion to remand has been filed electronically, and is available for viewing and downloading by all counsel of record from the Electronic Case Filing System.

/s/ Peter Carr
Peter Carr
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Plaintiff, :	:	
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WILLIAM JOHNSON, :	:	No. 13-2242
Defendant. :	:	

[PROPOSED] ORDER

AND NOW, this day of June, 2013, the Commonwealth of Pennsylvania is granted permission to file a reply brief in support of its motion to remand by June 20, 2013.

BY THE COURT:

Berle M. Schiller, J.